

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**KENNETH RAY PITTS
ADC #085938**

PLAINTIFF

v.

No. 5:19-cv-297-DPM

THOMPSON, Nurse

DEFENDANT

ORDER

On *de novo* review, the Court adopts Magistrate Judge Kearney's recommendation, *Doc. 82*, and overrules Pitts's objections, *Doc. 85 & 88*. FED. R. CIV. P. 72(b)(3). The Court has twice issued a summons for Nurse Thompson to be served through the Humphries, Odum & Eubanks law firm. Twice the summons has been returned with an explanation that Thompson is not a current employee of Correct Care Solutions. *Doc. 27 & 69*. Pitts hasn't provided an alternative service address for Thompson; and it's his responsibility to do so. *Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993) (*per curiam*). Further, his arguments about serving corporations do not apply because Thompson is an individual. *Doc. 87 at 2-5*; FED. R. CIV. P. 4(e). Pitts's amended complaint will therefore be dismissed without prejudice. His pending motions are denied as moot. *Doc. 58, 61, 78, 84 & 86-88*.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

24 June 2020